



Attorney Docket No. 1795/54002-D

Inventor Kenneth A. Jones et al.

Total Pages 2

Express Mail Label No. EL 628 787 753 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Box CPA

Washington, D. C. 20231

April 25, 2001

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Sir:

This is a request for filing a X CONTINUATION DIVISIONAL application under 37 CFR 1.53(d) continued prosecution application (CPA) of pending prior application Serial No. 09/211,755 filed on December 15, 1998 entitled DNA Encoding A GABA_B R2 POLYPEPTIDE And Uses Thereof

1. Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.

2. X A preliminary amendment is enclosed.

3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).

a. DELETE the following inventor(s) named in the prior nonprovisional application:

b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. Information Disclosure Statement (IDS) is enclosed:

a. PTO-1449

b. Copies of IDS Citations

6. X Small entity status:

a. A small entity statement is enclosed.

b. A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

c. X Is no longer claimed.

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01 FC:131
02 FC:103
03 FC:102
04 FC:104

710.00 OP
126.00 OP
80.00 OP
270.00 OP

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The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT

					Rate			Fee	
	Number Filed		Number Extra*		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	27 - 20	=	7	x	\$ 9	\$ 18	=	\$	\$ 126
Indep. Claims	4 - 3	=	1	x	\$ 40	\$ 80	=	\$	\$ 80
Multiple Dependent Claims Presented: Yes <u>X</u> No <u> </u>					\$135	\$270	=	\$	\$ 270
If the difference in column 1 is less than zero, enter "0" in column 2					Basic Fee			\$ 355	\$ 710
					Total Fee			\$	\$ 1,186

7. X A check in the amount of \$ 1,186.00 to cover the filing fee.

8. X The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the following or credit any overpayment to Deposit Account No. 03-3125.

X Filing fees under 37 C.F.R. § 1.16.

X Patent application processing fees under 37 C.F.R. §1.17.

 The issue fee set in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).

9. X Three copies of this sheet are enclosed.

10. X Other (identify) Preliminary Amendment, with Exhibits A and 1-4, and Express Mail Certificate of Mailing bearing label No. EL 628 787 535 US dated April 25, 2001

April 25, 2001
Date

Respectfully submitted,



John P. White, Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036
Tel.: (212) 278-0400



04-27-01

CPA/1700/\$

Dkt. 54002-D/JPW/ADM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1646

Applicants: Kenneth A. Jones et al.
Serial No.: CPA of 09/211,755 Group Art Unit: 1646
Filed : December 15, 1998 Examiner: M. Brannock
For : DNA Encoding a GABA_BR2 Polypeptide and Uses
Thereof

1185 Avenue of the Americas
New York, New York 10036
April 25, 2001

Assistant Commissioner for Patents
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Sir:

EXPRESS MAIL CERTIFICATE OF MAILING
FOR THE ABOVE-IDENTIFIED APPLICATION

Express Mail mailing label number: EL 628 787 535 USDate of Deposit: April 25, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231.

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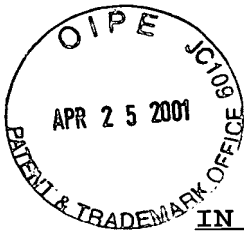
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Printed Name: THIA SCOA

Respectfully submitted,

John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400



Dkt. 54002-D/JPW/ADM

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1185 Avenue of the Americas
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April 25, 2001

20/E
M.G.J.
5/8/01

Assistant Commissioner for Patents
BOX CPA
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

This application is a continuation prosecution application ("CPA") of U.S. Serial No. 09/211,755 filed December 15, 1998. A Final Office Action was rendered in U.S. Serial No. 09/211,755 on October 30, 2000, setting a three month period for response which expired on January 30, 2001. On February 26, 2001 applicants filed an Amendment in response to the October 30, 2000 Final Office Action and petitioned for a one-month extension of time. However, in an Advisory Action issued April 3, 2001, the Examiner to whom the subject application is assigned indicated that Applicants' February 26, 2001 Amendment will not be entered. Applicants are concurrently filing a petition for a three month extension of time. With a three month extension of time, a response to the October 30, 2000 Final Office Action is now due April 30, 2001. Accordingly, the subject application is pending today and this CPA is being timely filed.

Please amend the subject application as follows:

In the Specification:

Please delete the paragraph on page 4, line 20, through page 5, line 1, and replace it with the following paragraph:

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